

Docket No. 4505-4016

1731
Image

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Dyakonov et al.

Group Art Unit: 1731

Serial No.: 09/723,585

Examiner: Carlos N. Lopez

Filed: November 28, 2000

For: A SMOKING ARTICLE INCLUDING A SELECTIVE CARBON MONOXIDE
PUMP

CERTIFICATE OF MAILING (37 C.F.R. §1.8(a))

Mail Stop
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

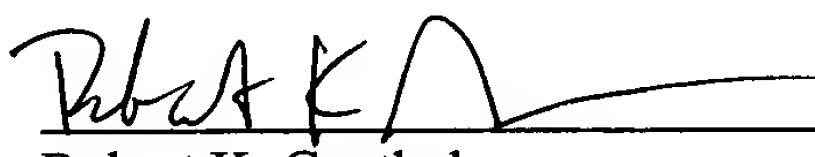
I hereby certify that the attached:

1. Response to Notice of Non-Compliant Amendment (14 pages)
2. Return Receipt Postcard
- 3.

along with any paper(s) referred to as being attached or enclosed and this Certificate of Mailing are being deposited with the United States Postal Service on date shown below with sufficient postage as first-class mail in an envelope addressed to the: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: December 23, 2003

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**RESPONSE TO NOTICE OF
NON-COMPLIANT AMENDMENT**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This paper is being filed in response to the Notice of Non-Compliant Amendment issued by the USPTO on December 16, 2003. The Amendment and Response filed December 3, 2003 was deemed non-compliant because it did not include a complete listing of all claims. Specifically, applicants inadvertently omitted claim 33 in the "Amendments to the Claims" section of the Amendment and Response. As required by the Notice, provided herein is the entire "Amendments to the Claims" section of applicants' December 3, 2003 Amendment and Response, including previously omitted claim 33.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.